

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

RICHARD MORRISON,
Plaintiff,

v.

MICHAEL W. NEUSTROM, et al.,
Defendants.

Case No. 14-cv-01604-VC

**ORDER GRANTING MOTION TO
DISMISS**

Re: Dkt. No. 24

United States District Court
Northern District of California

Plaintiff Richard Morrison has sued Dean Guidry under 28 U.S.C. § 1983 and 28 U.S.C. § 1985, alleging that Guidry violated Morrison's due process rights by acting as a co-conspirator to an allegedly illegal seizure of Morrison's property. Morrison alleges that Sheriff Michael Neustrom, the Sheriff of Lafayette Parish, Louisiana, seized and sold a \$31,000 judgment that Morrison's sister, Anne Morrison Dietz, had obtained against her husband, John Dietz, and then had transferred to Morrison. Morrison alleges that Sheriff Neustrom conducted this seizure and sell without providing adequate notice to Morrison and without legal jurisdiction over the property. Morrison also sued John Dietz and Dean Guidry, who was allegedly John Dietz's attorney in the Louisiana action, for his role as a co-conspirator in enabling the Sheriff's allegedly illegal action. Guidry has filed a motion to dismiss, which is granted, with prejudice.

On August 4, 2014, this Court issued an Order¹ granting Sheriff Neustrom's motion to dismiss on the grounds that the Court lacked personal jurisdiction over Sheriff Neustrom and that, to the extent Morrison was seeking to challenge the validity of the Louisiana state court's grant of the Writ of Fifa, the suit was barred under *Rooker-Feldman*. For the same reasons, the Court

¹ The August 4, 2014 Order laid out the facts of the case, which the Court incorporates into this Order.

1 grants Guidry's motion to dismiss. While Morrison acknowledges that general jurisdiction is
2 lacking over Guidry, he argues that the requirements for specific personal jurisdiction are met. But
3 just as the Court lacked specific jurisdiction over Sheriff Neustrom, so too does it lack specific
4 jurisdiction over Guidry, as Guidry did not direct any activities toward the State of California. The
5 Court lacks jurisdiction over him for the reasons laid out in its Order dismissing the claims against
6 Sheriff Neustrom. Similarly, as also explained in the prior Order, the *Rooker-Feldman* doctrine
7 prevents Morrison from bringing an action in this court to challenge the Louisiana state court's
8 grant of the Writ of Fifa. Accordingly, Guidry's motion to dismiss is granted, and because the
9 defects cannot be cured through an amended complaint, dismissal is with prejudice.²

10 The hearing on the motion to dismiss, previously scheduled for September 18, 2014, is
11 vacated.

12 **IT IS SO ORDERED.**

13 Dated: September 15, 2014



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15 VINCE CHHABRIA
United States District Judge
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28 ² The Court wishes to again acknowledge, as it did in its August 4 Order, that it received an ex parte letter from Guidry, which it has not relied on in issuing this Order.